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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gary Beaudry and Paul J. Maddon
Serial No. : 08/485,163 Examiner: K. Brown
Filed : June 7, 1995 Group Art Unit: 1812
For : CD4 GAMMA2 AND CD4-IgG2 CHIMERAS

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June 8, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

**COMMUNICATION
IN RESPONSE TO AUGUST 7, 1997
FINAL OFFICE ACTION AS A FIRST SUBMISSION PURSUANT
TO THE SEPTEMBER 9, 1998 COMMUNICATION REQUESTING CONSIDERATION
ON THE MERITS OF A FIRST SUBMISSION AFTER FINAL REJECTION AND
WITHDRAWAL OF FINALITY UNDER 37 C.F.R. 1.129(A) AND PETITION.**

This Communication is submitted in response to an August 7, 1997 Final Office Action as a first submission pursuant to the September 9, 1998 Communication Requesting Consideration on The Merits of a First Submission After Final Rejection And Withdrawal of Finality under 37 C.F.R. 1.129(a) and Petition.

REMARKS

Claims 30-35 and 44-46 are pending and under examination in the subject application.

Claim Rejections - 35 U.S.C. §103

The Examiner rejected claims 30-35 and 44-46 under 35 U.S.C. 103(a) as being unpatentable over Capon, et al. (U.S. Patent No. 5,565,335).